

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	
	v.	
	:	CRIMINAL NO. 23-269
MARC VINCENT	:	

GOVERNMENT'S MOTION FOR PRETRIAL DETENTION

The defendant, Marc Vincent, obtained United States citizenship by fraud, by concealing the fact that he raped a child for which he was later convicted. Vincent is currently serving a 2 ½ to 5-year sentence in Pennsylvania state prison for that offense and was transferred via writ into federal custody to face federal charges relating to naturalization fraud. If not ordered detained on this case, the defendant would merely be transferred back to Pennsylvania state custody.

Because no condition or combination of conditions will reasonably assure the defendant's appearance as required and/or the safety of the community, the government moves pursuant to 18 U.S.C. § 3142(e) for a detention hearing and pretrial detention of the defendant.

I. THE FACTS

In support of this motion, the government makes the following representations and proposed findings of fact:

A. Probable Cause And The Evidence In This Case

1. There is probable cause to believe that the defendant has violated two counts of Title 18, United States Code, Section 1425, naturalization fraud, and three counts of Title 18, United States Code, Section 1015(a), false statements in a citizenship application, charged in the indictment filed on June 20, 2023.

2. The evidence in this case is strong.

a. The defendant, in his written application for citizenship and in his interview at U.S. Citizenship and Immigration Services in 2017 and 2018, respectively, denied that he ever had committed a crime or forced anyone to have sexual relations with him.

b. On February 26, 2019, in the Court of Common Pleas in Philadelphia, Vincent pled guilty to Rape- Forcible Compulsion, in violation of Title 18, Section 3121(a)(1) and Unlawful Contact with Minor, in violation of Title 18, Section 6318(a)(1) of the Pennsylvania Crimes Code for conduct that occurred between July 1, 2015 and July 30, 2018. This conviction is now final.

B. Maximum Penalties

The total maximum sentence is 35 years' imprisonment, a \$1,250,000 fine, three years' supervised release, and a \$500 special assessment.

C. Community Ties

1. The defendant is facing the prospect of spending an additional period of time in prison, loss of citizenship, and possible deportation.

2. The defendant is a convicted child sex offender.

3. Any positive ties the defendant may have with the community are justifiably overshadowed by the danger he poses to the community.

II. CONCLUSION

When all these factors are viewed in light of the consequences the defendant faces if convicted and the unavailability of less restrictive conditions, it is clear that no condition or

combination of conditions will reasonably assure the presence of the defendant as required and/or the safety of the community.

WHEREFORE, the government respectfully submits that its Motion for Defendant's Pretrial Detention should be granted.

Respectfully submitted,

JACQUELINE C. ROMERO
United States Attorney

s/ Josh A. Davison
Josh A. Davison
Assistant United States Attorney

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	
v.	:	CRIMINAL NO. 23-269
MARC VINCENT	:	

PRETRIAL DETENTION ORDER

AND NOW, this day of July, 2023, after an evidentiary hearing and argument of counsel for the government and the defendant, the Court finds that:

- (a) the government has proved by a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required; and

The Court makes the following findings of fact:

This case is appropriate for detention under Title 18, United States Code, Section 3142(e) because:

1. There is probable cause to believe that the defendant has violated two counts of Title 18, United States Code, Section 1425 and three counts of Title 18, United States Code, Section 1015(a) as charged in the indictment filed on June 20, 2023.

2. The evidence in this case is strong.

 a. The defendant, in his written application for citizenship and in his interview at U.S. Citizenship and Immigration Services in 2017 and 2018, denied that he ever had committed a crime or forced anyone to have sexual relations with him.

b. On February 26, 2019, in the Court of Common Pleas in Philadelphia, Vincent pled guilty to Rape- Forcible Compulsion, in violation of Title 18, Section 3121(a)(1) and Unlawful Contact with Minor, in violation of Title 18, Section 6318(a)(1) of the Pennsylvania Crimes Code for conduct that occurred between July 1, 2015 and July 30, 2018. This conviction is now final.

3. The total maximum statutory penalty defendant faces is 35 years' imprisonment. Accordingly, the defendant has a substantial incentive to flee.

4. There do not appear to be less restrictive conditions available that will assure the defendant's appearance in court and provide for the safety of the community.

5. The strength and nature of the case against the defendant, combined with the strong likelihood that the defendant will be incarcerated for a significant period of time, increases the high risk that the defendant will not appear as required by the Court.

Therefore, IT IS ORDERED that the defendant be committed to the custody of the Attorney General for confinement in a correction facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal; that the defendant be afforded reasonable opportunity for private consultation with counsel; and that, on order of a Court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

BY THE COURT:

HONORABLE DAVID R. STRAWBRIDGE
United States Magistrate Judge

CERTIFICATE OF SERVICE

I certify that a copy of the Government's Motion for Pretrial Detention, and Proposed Order was served by electronic mail on the following defense counsel:

Jeremy Isard, Esq., jisard@gmail.com

s/ Josh A. Davison
JOSH A. DAVISON
Assistant United States Attorney

Date: July 11, 2023